



15W
\$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Shaikh Ghaleb Alhamad)
Serial No.: 10/758,714)
Filed: 16 January 2004) Ex:
For: CONSTRUCTION MATERIAL) Art Unit:
CONTAINING EXPANDED)
FLEXIBLE MATERIAL)

CERTIFICATE OF MAILING

MAIL STOP PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Dear Sir:

I hereby certify that the Petition, three (3) pages and attachments; copy of Notice of Incomplete Nonprovisional Application; copy of Certificate of Express Mailing from mailing of 16 January 2004; copy of Division-Continuation Transmittal Form from mailing of 16 January 2004; copy of returned date-stamped postcard from mailing of 16 January 2004; copy of application submitted 16 January 2004; copy of drawings submitted 16 January 2004; copy of Pre-Examination Amendment submitted 16 January 2004; check for petition fee; and postcard, are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, Mail Stop Petitions on 13 September 2004.

Lib Edwards
Signature

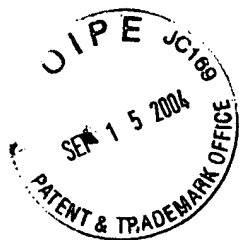
13 September 2004

340 East Palm Lane
Suite 260
Phoenix, Arizona 85004
(602) 252-7494

13 September 2004
Date

Respectfully Submitted,

Michael W. Goltry
Michael W. Goltry
Attorney for Applicant
Reg. No. 39,692
CUSTOMER NUMBER 45848



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Shaikh Ghaleb Alhamad)
Serial No.: 10/758,714)
Filed: 16 January 2004) Ex:
For: CONSTRUCTION MATERIAL) Art Unit:
CONTAINING EXPANDED)
FLEXIBLE MATERIAL)

PETITION

MAIL STOP PETITIONS
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

Dear Sir:

A Notice of Incomplete Nonprovisional Application was mailed 03 August 2004 for the above referenced patent application. The Notice stated that the application was deposited without specification or drawings. We now submit a Petition to the Notice of Incomplete Nonprovisional Application and evidence in support thereof.

On 16 January 2004, this office submitted the above-referenced application, including specification, claims and abstract, 48 pages, and twelve pages of drawings and one copy of same, and the accompanying paperwork, which is not in question. Attached are copies of items in support of the deposit of these missing items.

Our search of the file wrapper in our office gives every indication that the Application and drawings were submitted with the application. The Certificate of Express Mailing (①copy attached), which was signed both by the attorney of record and the support staff certifying that the items mailed were in the deposit, indicate that the missing items were mailed. The divisional-continuation transmittal form (②copy attached) signed by the attorney of record, indicates that the items were enclosed. Also included herewith is our (③copy attached) returned stamped postcard, date-stamped 16 January 2004, which lists the missing items, and does not contain any note by the USPTO that either the Copy of the application or the drawings were not in the mailed submission received on that date.

The postcard is in agreement with the Certificate of Express Mailing, and Division-Continuation Transmittal Form, that the items were included in the mailing to the USPTO on 16 January 2004.

Enclosed are copies of the previously submitted Application and drawings. Since we do not know if the Pre-Examination Amendment may not have also become separated from the submission, we enclose a copy of the Amendment as well.

In view of the evidence supporting Applicant's contention that the missing items were submitted on 16 January 2004,

Applicant respectfully requests that a filing date of 16 January 2004 be accorded the application papers. Applicant also requests that the enclosed petition fee be refunded.

Respectfully submitted

A handwritten signature in black ink, appearing to read 'Michael W. Goltry', with a stylized, looping flourish at the end.

Michael W. Goltry
Attorney for Applicant
Registration Number 39,692
CUSTOMER NUMBER 45848

13 September 2004

340 East Palm Lane, Suite 260
Phoenix, Arizona 85044
(602) 252-7494

1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant: ALHAMAD, SHAIKH GHALEB)
MOHAMMED YASSIN)
Serial No.:)
Filed: HEREWITH)
Title: CONSTRUCTION MATERIAL CON-)
TAINING EXPANDED FLEXIBLE)
MATERIAL)

CERTIFICATE OF EXPRESS MAILING

Commissioner of Patents and Trademarks
P.O. Box 1450
Alexandria, VA 22131-1450
Mail Stop Patent Applications

"Express Mail" mailing label number: EV 408010662 US
Date of Deposit: 16 JANUARY 2004

Dear Sir:

I hereby certify that the attached Division-Continuation Program Application Transmittal Form; Copy of Declaration and Power of Attorney, executed; Copy of Revocation and New Power of Attorney; Updated Information Disclosure Statement; Pre-Examination Amendment; Request for Extension of Time; Copy of Application: Specification, forty-five (45) pages, Claims, two (2) pages; Drawings, twelve (12) page(s) and one copy of same; checks for appropriate fees; and a postcard are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" under 37 CFR 1.10 addressed to the Commissioner of Patents and Trademarks, P.O. Box 1450, Alexandria, VA 22313-1450, Mail Stop Patent Applications, on 16 January 2004.

Lara Smitham
Signature

PARSONS & GOLTRY
340 East Palm Lane
Suite 260
Phoenix, Arizona 85004
(602) 252-7494

1-16-04
Date

Respectfully submitted,
Michael W. Goltry
Michael W. Goltry
Attorney for Applicant
Registration No. 39,692

2



DIVISION-CONTINUATION PROGRAM APPLICATION
TRANSMITTAL FORM

Attorney Docket No.: 4429-A6CIC2

Anticipated Classification
of This Application:

Prior App.: 4429-A6CIC

Class	Subclass	Examiner	Art Unit
-------	----------	----------	----------

To the Commissioner of Patents and Trademarks:

This is a request for filing a X continuation _____ divisional
of a X utility _____ design application under 35 §§ CFR
1.53(b) and 1.78(a) of pending prior application Serial No.
09/728,647, filed on 01 December 2000 for CONSTRUCTION MATERIAL
CONTAINING EXPANDED FLEXIBLE MATERIAL.

1. X Enclosed is a copy of the latest inventor signed prior
application, including the oath or declaration as
originally filed. I hereby verify that the attached
papers are a true copy of the latest inventor signed
prior application Serial No. 09/728,647 as originally
filed on 01 December 2000, and further that all
statements made herein of his own knowledge are true
and that all statements made on information and belief
are believed to be true; and further that these
statements and the like so made are punishable by fine
or imprisonment, or both, under section 1001 of Title
18 of the United States Code and that such willful
false statements may jeopardize the validity of the
application or any patent issued thereon.

2. Enclosed is a supplemental declaration under 37 CFR
1.67

3. X Small Entity Status is of record in parent case.

4. X Enclosed is an Updated Information Disclosure
Statement

5. Prepare a copy of the latest inventor signed prior
application, Serial No. , filed on
 , 19 .

6. The filing fee is calculated below:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
TOTAL CLAIMS	56 - 20 =	36 X	\$ 9=	\$ 324
INDEPENDENT CLAIMS	10 - 3 =	7 X	\$ 43=	\$ 301
BASIC FEE				\$ 385.00
TOTAL FILING FEE				\$ 1010.00

7. X A check in the amount of \$ 1010.00 is enclosed.

8. The Commissioner is hereby authorized to charge any
additional fees which may be required, or credit any
overpayment to Deposit Account No. . A
duplicate copy of this sheet is enclosed.

9. Cancel in this application claims of the prior
original application before calculating the filing
fee. (At least one original independent claim must be
retained for filing purposes.)

10. X Amend the specification by inserting before the first line the sentence: This application is a X continuation, division, of application Serial Number 09/728,647, filed 01 December 2000, which claims priority to the following parent cases: 09/658,595, filed 11 September 2000; 08/561,293 (patent number 6,117,062) filed 21 November 1995; 08/414,106 filed 31 March 1995; 07/806,901 (patent number 5,402,852) filed 12 December 1991; 07/674,277 (patent number 5,097,907) filed 19 March 1991; 07/417,686 (patent number 5,001,017) filed 05 October 1989; and 07/280,317 filed 06 December 1988.
11. sheets of formal drawings and 1 copy of same are enclosed.
12. X 12 sheet(s) of informal drawings and 1 copy of same are enclosed.
13. X A Pre-examination Amendment is enclosed.
14. Transfer the drawings from the pending prior application to this application and abandon said prior application as of the filing date accorded this application. A duplicate copy of this sheet is enclosed for filing in prior application file. (May only be used if signed by person authorized by Section 1.138 and before payment of base Issue Fee.)
15. Priority of application Serial No. filed on , 19 in is claimed under 35 U.S.C. 119.

- _____ The certified copy has been filed in prior application
Serial No. _____, filed _____, 19____.
16. _____ The prior application is assigned of record to
_____.
17. _____ An Assignment is enclosed.
18. _____ A Request for Non-Publication
19. X Also enclosed, Request for Extension of Time
20. X The Power of Attorney appears in the original papers
in the prior application (copy enclosed).
21. X A Revocation and New Power of Attorney is enclosed.
22. X Address all future communications to: (May only be
completed by applicant, or attorney or agent of
record:

Michael W. Goltry
PARSONS & GOLTRY
340 East Palm Lane
Suite 260
Phoenix, Arizona 85004

(602) 252-7494

16 January 2004
(Date)



(Signature)

_____ inventor
_____ filed under 1.34(a)
_____ assignee of complete interest
 X attorney or agent of record

3

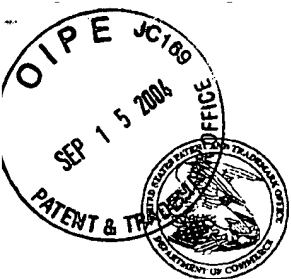


RECEIPT OF THE FOLLOWING IS HEREBY ACKNOWLEDGED AT THE
UNITED STATES PATENT AND TRADEMARK OFFICE:

- . Certificate of Express Mailing, dated 16 January 2004
- 2.Division-Continuation Transmittal Form
- 3.Copy of Declaration and Power of Attorney from prior
- 4.Revocation and New Power of Attorney (copy)
5. Pre-examination Amendment 17302 U.S.PTO
- 6.Udated Information Disclosure Stateemtn 10/758714
- 7.Request for Extension of time 
9. Copy of App: Spec, 45pp; Claims, 2pp; Abstract, 1pg 011604
- 10.Drawings, 12 pp and one copy of same
- 11.Checks for fees
- 12.Postcard

RECEIVED JAN 23 2004

FOR: ALHAMAD, SHAIKH GHALEB DOCKETNO:4429-A6CIC
ENTITLED: CONSTRUCTION MATERIAL CONTAINING EXPANDED 2
MW/las 16 jan 2004
DATE



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/758,714	01/16/2004	Shaikh Ghaleb Mohammad Yassin Alhamad	4429-A6CIC2

Michael W. Goltry
 PARSONS & GOLTRY
 Suite 260
 340 East Palm Lane
 Phoenix, AZ 85004

CONFIRMATION NO. 6562

FORMALITIES LETTER



OC000000013418292

Date Mailed: 08/03/2004

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

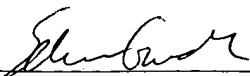
All of the items noted below **and a newly executed oath or declaration covering the items must** be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- o The specification is missing.
A complete specification as prescribed by 35 U.S.C. 112 is required.
- o The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." *Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).*

Replies should be mailed to: Mail Stop Missing Parts
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in dark ink, appearing to read "E. L. G. S.", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE